

# MINUTES

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

5/5/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CIVIL NO. 04-00671HG-LEK

CASE NAME: Raymond Ware vs. Sidney Hayakawa, et al.

ATTYS FOR PLA:

ATTYS FOR DEFT:

INTERPRETER:

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JUDGE: Leslie E. Kobayashi

REPORTER:

DATE: 5/5/2006

TIME:

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COURT ACTION: EO: COURT ORDER FINDING PLAINTIFF'S MOTION TO COMPEL FILED DECEMBER 12, 2005 MOOT.

A status conference regarding Plaintiff Raymond Ware's ("Plaintiff") Motion to Compel, filed December 12, 2005 ("December 12 Motion"), was held on May 5, 2006. Daphne Barbee, Esq., representing Plaintiff, and Thomas Helper, Assistant United States Attorney, representing Defendants Sidney A. Hayakawa, Director of Transportation Security Administration - Honolulu ("TSA - Honolulu"), Ken Kamahale, Deputy Director of TSA - Honolulu, TSA, Thomas J. Ridge, Secretary of the Department of Homeland Security ("DHS"), and the DHS (collectively "Federal Defendants") were present.

Based on counsels' representations that Federal Defendants have produced documents and a privilege log for documents that have been withheld and/or redacted and have produced the TSA's ruling that the information Plaintiff is seeking is Sensitive Security Information ("SSI") and therefore cannot be produced, and in light of the issues Plaintiff raised as to the document production, privilege log, and the SSI ruling, in his Second Motion to Compel Discovery, filed March 20, 2006 and scheduled for hearing on May 15, 2006, this Court finds that the December 12 Motion is MOOT.

Cc: all counsel

Submitted by: Warren N. Nakamura, Courtroom Manager

